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Patent
Attorney Docket No. 892,280-602
(formerly 342312004900)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LEWIS et al.

Serial No.: 10/642,807

Filed: August 15, 2003

For: NOVEL LINCOMYCIN
DERIVATIVES POSSESSING
ANTIMICROBIAL ACTIVITY

Group Art Unit: 1623

Examiner Peselev

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above-identified application is hereby disclosed. The accompanying Form PTO-1449 provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form 1449, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450.

September 9, 2005
Date of Deposit
NB1:662884.1

Cynthia B Pacheco
Cynthia B Pacheco

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required. However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.

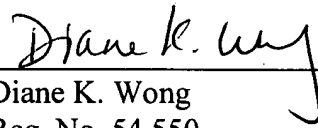
In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the Patent and Trademark Office in the related U.S. Application Serial No. 10/777,455, filed February 11, 2004. Accordingly, Applicants will provide duplicate copies in respect of the present case only if the Examiner so desires.

This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement constitute an admission by Applicants or Applicants' agent that the information provided herein is necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the patentability of the claimed invention over any of the listed documents should they be applied there-against as references. Please charge any deficiency or credit any overpayment to Deposit Account No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated: September 9, 2005

By 
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Reg. No. 54,550
Attorneys for Applicant

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**INFORMATION DISCLOSURE
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(Use as many sheets as necessary)

Complete if Known

Application No.	10/642,807
Filing Date	August 15, 2003
First Named Inventor	Lewis et al.
Art Unit	1623
Examiner Name	Peselev
Attorney Docket No.	892,280-602 (formerly 342312004900)

Sheet 1 of 5

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Document No. Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1.	2,851,463	09/09/1958	Hinman et al.	
	2.	2,928,844	03/15/1960	De Boer et al.	
	3.	3,255,174	06/07/1966	Bannister et al.	
	4.	3,268,556	08/23/1966	Hoeksema	
	5.	3,282,917	11/01/1966	Magerlein	
	6.	3,361,739	01/02/1968	Argoudelis et al.	
	7.	3,364,197	01/16/1968	Hoeksema	
	8.	3,380,992	04/30/1968	Argoudelis et al.	
	9.	3,435,025	05/25/1969	Birkenmeyer	
	10.	3,539,689	11/10/1970	Birkenmeyer et al.	
	11.	3,549,615	12/22/1970	Birkenmeyer	
	12.	3,555,007	01/12/1971	Magerlein	
	13.	3,702,322	11/07/1972	Bannister	
	14.	3,817,979	06/18/1974	Argoudelis et al.	
	15.	3,856,943	12/24/1974	Birkenmeyer	
	16.	3,892,729	07/01/1975	Birkenmeyer	
	17.	3,892,730	07/01/1975	Birkenmeyer	
	18.	4,293,547	10/06/1981	Lewis et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	19.	EP 0161 794	11/21/1985	The Upjohn Company		
	20.	GB 1 298 295	11/29/1972	The Upjohn Company		
	21.	GB 1 347 598	02/27/1974	The Upjohn Company		
	22.	WO 89/04672	06/01/1989	The Upjohn Company		

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		Country Code ³ Number ⁴ Kind Code (if known)				
	23.	WO 2004/016632	02/26/2004	Vicuron Pharmaceuticals Inc.		
	24.	WO 2005/012320	02/10/2005	Vicuron Pharmaceuticals Inc.		
	25.	WO 2005/007665	01/27/2005	Vicuron Pharmaceuticals Inc.		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s) volume-issue number(s), publisher, city and/or country where published	T ²
	26.	Alexander, J. et al. (1988) "(Acyloxy)alkyl Carbamates as Novel Bioreversible Prodrugs for Amines: Increased Permeation through Biological Membranes," JOURNAL OF MEDICINAL CHEMISTRY 31(2): 318-22.	
	27.	Alexander, J. et al. (1996) "Investigation of (Oxodioxolenyl)methyl Carbanates as Nonchiral Bioreversible Prodrug Moieties for Chiral Amines," JOURNAL OF MEDICINAL CHEMISTRY 39(2): 480-86.	
	28.	Corrected version of International Search Report mailed on July 26, 2004, for International Application PCT/US03/25820 filed on August 15, 2003	
	29.	International Search Report mailed on May 6, 2005, for PCT Patent Application PCT/US2004/019497 filed on June 17, 2004, 7 pages	
	30.	International Search Report mailed on August 8, 2005, for PCT Patent Application PCT/US2004/019689 filed on June 17, 2004, 21 pages	
	31.	Baldwin, J.E. et al. (1990) "Stereospecific Synthesis of Dealanylalalohopein," TETRAHEDRON 46 (13/14): 4733-48.	

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	32.	Bannister, B. et al. (1980) "The S-Alkylation of Sulphides by an Activated Carbohydrate Epimine Under Acidic Catalysis: the Formation of α -Acetamido-sulphides. Part 4. Reactions with Dithioacetals and Monothioacetals" JOURNAL OF THE CHEMICAL SOCIETY, PERKINS TRANSACTIONS 1 2:540-552	
	33.	Bannister, B. et al. (1987) "The S-Alkylation of Sulphides by an Activated Carbohydrate Epimine Under Acidic Catalysis: the Formation of α -Acetamido-sulphides. Part 5. The Introduction of Functionality into the Sulphide Substituent" J. CHEM. RES. 4:701-94	
	34.	Bannister, B. et al. (1989) "The S-Alkylation of Sulphides by an Activated Carbohydrate Epimine Under Acidic Catalysis: the Formation of α -Acetamido-sulphides. Part 5. The Introduction of Functionality into the Sulphide Substituent" JOURNAL OF CHEMICAL RESEARCH 4:90-91	
	35.	Bousquet, Y. et al. (1997) "Preparation of Enantiopure 4-Oxygenated Pipeolic Acid Derivatives," TETRAHEDRON 53(46): 15671-15680.	
	36.	Bundgaard, H. et al. (1980) "Prodrugs as Drug Delivery Systems IV: N-Mannich bases as Potential Novel Prodrugs for Amides, Ureide, Amines, and Other NH-Acidic Compounds," JOURNAL OF PHARMACEUTICAL SCIENCES 69(1): 44-46.	
	37.	Deiters, A. et al. (2004) "Synthesis of Oxygen- and Nitrogen-Containing Heterocycles by Ring-Closing Metathesis" CHEM. REV. 104: 2199-2238.	
	38.	Del Valle, J.R. et al. (2003) "Asymmetric Hydrogenations for the Synthesis of Boc-Protected 4-Alkylprolinols and Prolines," JOURNAL OF ORGANIC CHEMISTRY 68(10): 3923-31.	
	39.	Dondoni, A. et al. (1997) "Stereoselective Addition of 2-Furyllithium and 2-Thiazolylithium to Sugar Nitrones. Synthesis of Carbon-Linked Glycoglycines." JOURNAL OF ORGANIC CHEMISTRY 62(16): 5484-96.	
	40.	Dondini, A. (1994) "Synthesis of N-Benzyl Nitrones" SYNTHETIC COMMUNICATIONS 24(18):2537-50.	

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	41.	Flaherty, P. et al. (1996) "Synthesis and Selective Monoamine Oxidase B-Inhibiting Properties of 1-Methyl-2,3,6-Tetrahydropyrid-4-yl Carbamate Derivatives: Potential Prodrugs of (R)- and (S)-Nordeprenyl," JOURNAL OF MEDICINAL CHEMISTRY 39(24): 4756-61.	
	42.	Fukuyama, T. et al. (1995) "2- and 4-Nitrobenzenesulfonamides: Exceptionally Versatile Means for Preparation of Secondary Amines and Protection of Amines." TETRAHEDRON LETTERS 36(36): 6373-74.	
	43.	Griffith, W.P. et al. (1990) "TPAP: Tetra-n-propylammonium Perruthenate, A Mild and Convenient Oxidant for Alcohols." ALDRICHIMICA ACTA 23(1): 13-19.	
	44.	Ibatullin, F.M. et al. (2002) "Reaction of 1,2-trans-glycosyl acetates with phosphorus pentachloride: new efficient approach to 1,2-trans-glycosyl chlorides" TETRAHEDRON LETTERS 43: 9577-9580.	
	45.	Jensen, N.P. et al. (1980) "Use of Aceylacetone to Prepare a Prodrug of Cycloserine," JOURNAL OF MEDICINAL CHEMISTRY 23(1): 6-8.	
	46.	Magerlein, B.J. et al. (1969) "Lincomycin. VIII. 4'-Alkyl-1'-demethyl-4'-depropylclindamycins, Potent Antibacterial and Antimalarial Agents" JOURNAL OF MEDICINAL CHEMISTRY 12: 780-84.	
	47.	Magerlein, B.J. (1967) "Lincomycin. VII. 4'-depropyl-4'-ethoxylincomycins" JOURNAL OF MEDICINAL CHEMISTRY 10(6): 1161-63.	
	48.	Misiek, M. et al. (1973) "Microbiological Properties of a New Cephalosporin, BL-S 339: 7-(Phenylacetimidoyl-aminoacetamido)-3-(2-Methyl-1,3,4-Thiadiazol-5-Ylthiomethyl)Ceph-3-em-4-Carboxylic Acid" ANTIMICROBIAL AGENTS AND CHEMOTHERAPY 3(1):40-48.	
	49.	Myers, A.G. et al. (1999) "Greatly Simplified Procedures for the Synthesis of α -Amino Acids by the Direct Alkylation of Pseudoephedrine Glycinamide Hydrate" J. ORG. CHEM. 64: 3322-27.	
	50.	Osuch, C. et al. (1956) "The Use of Organolithium Compounds to effect the Alkylation of 2- and 4-Picoline" JOURNAL OF THE AMERICAN CHEMICAL SOCIETY 78:1723-25.	

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	51.	Sakamoto, F. et al. (1984) "Studies on Prodrugs. II. Preparation and Characterization of (5-Substituted 2-Oxo-1,3-Dioxolen-4-yl)methyl Esters of Ampicillin" CHEM. PHARM. BULL. 36(6): 2241-48.	
	52.	Shek, E. et al. (1976) "Improved Delivery Through Biological Membranes. 2. Distribution, Excretion, and Metabolism of N-Methyl-1,6-dihydropyridine-2-Carbaldoxime Hydrochloride, A Pro-drug of N-Methylpyridinium-2-Carbaldoxime Chloride" JOURNAL OF MEDICINAL CHEMISTRY 19(1):108-12.	
	53.	Spižek, J. et al. (2004) "Lincomycin, Cultivation of Producing Strains and Biosynthesis" APPL. MICROBIOL. BIOTECHNOL. 63:510-19.	
	54.	Sztaricskai, F. et al. (1996) "Semisynthetic Modification of Antibiotic Lincomycin" J. ANTIBIOTICS 49(9): 941-43.	
	55.	Sztaricskai, F. et al. (1997) "Chemical Synthesis and Structural Study of Lincomycin Sulfoxides and a Sulfone" J. ANTIBIOTICS 50(10): 866-73.	
	56.	Sztaricskai, F. et al. (1999) "Structural Modification of the Lincomycin Antibiotic" J. ANTIBIOTICS 52(11): 1050-55.	
	57.	Watanabe, T. et al. (1982) "Synthesis of α-Amino-cycloheptatriene-1-acetic Acids and Their 7-Acylaminocephalosporin Derivatives" CHEMICAL PHARMACEUTICAL BULLETIN 30(7): 2579-82.	
	58.	Weiss, W.J. et al. (1999) "In vivo Activities of Peptidic Prodrugs of Novel Aminomethyl Tetrahydrofuranyl-1β-Methylcarbapenems" ANTIMICROBIAL AGENTS AND CHEMOTHERAPY 43(3): 460-64.	
	59.	Yong, K. et al. (2001) "Studies on the Alkylation of 3-Methyl-3-buten-1-ol Dianion: An Efficient Synthesis of 3-Methylene-1-alkanols Including a San Jose Scale Sex Pheromone" JOURNAL OF ORGANIC CHEMISTRY 66(24): 8248-51.	

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